

**REMARKS**

Claims 20-29 and 31 are pending. By this Amendment, claim 20 is amended to even more clearly distinguish from the cited references and claims 22-24, 26-29 and 31 are amended to improve punctuation. Support for the amendment of claim 20 can be found in Applicant's specification, for example, at page 42, line 44-page 44, line 9, page 55, line 3-page 56, line 15 and in Figs. 22 and 30. For example, in Fig. 30A, the direction of the "shortest distance" is diagonal, whereas in Fig. 30B, the direction of the "shortest distance" is vertical and horizontal. Applicant requests the rejoinder of withdrawn claim 29 upon allowance of claim 20. No new matter is added by the amendments.

Applicant notes with appreciation the allowance of claim 31. Applicant submits that all pending claims are in condition for allowance as detailed below.

Claim 20 stands rejected under 35 U.S.C. §102(e) over Glenn (U.S. Patent No. 7,230,646). The rejection is respectfully traversed.

Glenn fails to disclose each and every feature recited in independent claim 20. In particular, Glenn fails to disclose "a plurality of photosensors included in one image sensor and two-dimensionally arranged on a light-receiving surface, for generating photo signals in accordance with an amount of received light" and "a pattern of sampling points in the grid imaging mode and a pattern of sampling points in the diagonal grid imaging mode are different from each other in that directions of the shortest distances between the sampling points in respective modes are different" as recited in independent claim 20. Glenn requires two patterns for the color pattern filter 50 to achieve two imaging modes. See Col. 2, lines 30-58, col. 3, lines 7-21 and Figs. 1, 2 and 4. That is, Glenn requires two different image sensors to achieve two imaging modes. Claim 20 recites "a plurality of photosensors included in one image sensor...a pattern of sampling points in the grid imaging mode and a pattern of sampling points in the diagonal grid imaging mode are different from each other in that

directions of the shortest distances between the sampling points in respective modes are different". The features of claim 20 provide two imaging modes using one imaging sensor. Thus, Glenn fails to disclose each and every feature recited in independent claim 20. Thus, claim 20 is patentable. Withdrawal of the rejection is respectfully requested.

Claims 20, 21 and 25 stand rejected under 35 U.S.C. §102(b) over Esser (U.S. Patent No. 4,799,109). The rejection is respectfully traversed.

Esser fails to disclose each and every feature recited in independent claim 20. In particular, Esser fails to disclose a feature corresponding to "a plurality of photosensors included in one image sensor...said readout section selectively has a grid imaging mode in which the generated photo signals on the light-receiving surface are sampled in a grid pattern for readout, and a diagonal grid imaging mode in which the generated photo signals on the light-receiving surface are sampled in a diagonal grid pattern for readout; and a pattern of sampling points in the grid imaging mode and a pattern of sampling points in the diagonal grid imaging mode are different from each other in that directions of the shortest distances between the sampling points in respective modes are different" as recited in independent claim 20. In Esser, the "shortest distance" direction of the grid pattern made up by the sampling points being added in Fig. 10 is the same as the "shortest distance" grid pattern direction in Fig. 9. The directions being horizontal and vertical (not diagonal). See Esser, col. 7, lines 51-65 and Figs. 9 and 10. Thus, claim 20 is patentable. Accordingly, claims 21 and 25 also are patentable for at least the reasons explained above regarding claim 20 by their dependence on claim 20. Withdrawal of the rejection is respectfully requested.

Claims 22 and 26 stand rejected under 35 U.S.C. §103(a) over Esser in view of Gallagher (U.S. Patent No. 6,765,611). Gallagher fails to overcome the deficiencies of Esser explained above regarding claim 20. Thus, claims 22 and 26 are patentable by their

dependence on claim 20 for at least the reasons explained above regarding claim 20.

Withdrawal of the rejection is respectfully requested.

Claims 23 and 27 stand rejected under 35 U.S.C. §103(a) over Esser in view of Morris (U.S. Patent No. 6,665,010). Morris fails to overcome the deficiencies of Esser explained above regarding claim 20. Thus, claims 23 and 27 are patentable by their dependence on claim 20 for at least the reasons explained above regarding claim 20. Withdrawal of the rejection is respectfully requested.

Claims 24 and 28 stand rejected under 35 U.S.C. §103(a) over Esser in view of Tanaka (U.S. Patent No. 6,982,751). Tanaka fails to overcome the deficiencies of Esser explained above regarding claim 20. Thus, claims 24 and 28 are patentable by their dependence on claim 20 for at least the reasons explained above regarding claim 20. Withdrawal of the rejection is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of all pending claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



Mario A. Costantino  
Registration No. 33,565

Robert G. Bachner  
Registration No. 60,122

MAC:RGB/jls

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**OLIFF & BERRIDGE, PLC**  
**P.O. Box 320850**  
**Alexandria, Virginia 22320-4850**  
**Telephone: (703) 836-6400**

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